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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/765,860	01/18/2001	Jeff J. Farago	47181-00232	1166

7590 06/03/2005

INTELLECTUAL PROPERTY LAW DEPARTMENT
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EXAMINER	
LUU, SY D	

ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 06/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/765,860	FARAGO ET AL.	
	Examiner	Art Unit	
	Sy D Luu	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *02 March 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *18 January 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This communication is responsive to the RCE and Amendment filed March 2, 2005.

2. Claims 1-18 are pending in this application. Claims 1, 9, and 14 are independent claims. In the above Amendment A, claims 1, 9 and 14 were amended. This action is made Non-Final.

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC §103

4. Claims 1-4, 6, 9-12, and 14-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alexander et al. ("Alexander", US 6,038,516) in view of Lignoul (US 6,374,145 B1), Nishikawa (US 6,804,792 B2), and Lee (US 6,076,169).

As per claim 1, Alexander teaches a method of remotely monitoring electrical power in an electrical circuit comprising the steps of: coupling a power meter to an electrical circuit for sensing power-related signals in said electrical circuit and generating power-related information based on said power related signals, and connecting a remote metering display to said power meter (fig 1; col. 15, lines 45 et seq.); said remote metering display including: a display screen (fig. IB; *display screen of element 142)*; accessing said power-related information by navigating through menu options depicted on the display screen *(abstract and figures 6A-6B)*.

Alexander further does not teach a motion sensor for powering on the display screen in response to detection of a person's presence within a predetermined distance of the remote metering display. Lignoul teaches the use of a proximity motion sensor for a user's presence in

order to activate and deactivate a screen saver program on a display device *(abstract;* col. 3, lines 12 et seq.). It would have been obvious to an artisan at the time of the invention to combine Lignoul's teaching with Alexander's method in order to prolong the life of the display device.

While Lignoul teaches the use of a proximity motion sensor for a user's presence in order to activate and deactivate a screen saver program on a display device, Lignoul does not expressly teach the steps of activation/deactivation to further include powering on/off the display device. Nishikawa discloses a computer power saving method in which a display device is powered-off when it is inactive for a predetermined time, and the device is powered-on when the computer (col. 1, lines 40-60). It would have been obvious to an artisan at the time of the invention to combine Nishikawa's power saving method teaching with the method of Alexander-Lignoul in order to reduce unnecessary power consumption as well as to prolong the monitor's life.

Alexander does not explicitly disclose the navigating means to be a plurality of user interface buttons. However, Alexander's method provides scrolling operations for navigating through menu options *(abstract)*. Official Notice is taken that the use of user interface buttons, such as keyboard navigating buttons or scroll bar buttons, to perform scrolling functions is well known in the art. It would have been obvious to an artisan at the time of the invention to include such buttons for use in conjunction with the scrolling functions of Alexander in order to facilitate user's menu navigation.

The method of Alexander-Lignoul-Nishikawa-Lee does not expressly disclose the display screen to present, without user interaction, at least some of said power-related information when said display screen is powered on; and viewing from said distance at least some of said power-related information. Lee teaches a power management system for a computer display device in which the

content of the original screen is redisplayed of the device has been deactivated (fig. 2; step S11). It would have been obvious to an artisan at the time of the invention to combine Lee's teaching with the method of Alexander-Lignoul-Nishikawa in order to immediately redisplay the previous display contents of said power-related information where the user left off.

As per claim 3, Lignoul teaches the display screen to be deactivated in response to no motion being detected by the motion sensor and none of the user interface buttons being pressed for a predefined period of idle time (col. 3, lines 12 et seq.) as well as the display screen to be powered off in Nishikawa (col. 1, lines 40-60).

As per claim 4, the method of Alexander-Lignoul-Nishikawa-Lee does not expressly teaches the predefined period of idle time to be definable in one of the menu options using the user interface buttons. However, Official Notice is taken that such a step of defining the predefined period of idle time through menu options, e.g. screen saver setting in Windows, is well known in the art. It would have been obvious to an artisan at the time of the invention to include such a setting feature with the method of Alexander-Lignoul-Nishikawa-Lee in order to provide a user with a quick and easy means for defining the predefined period of idle time.

As per claim 6, Lignoul teaches the motion sensor senses infrared waves to be projected from a person's body (col. 5, lines 8-16).

Claims 9-12 are similar in scope to claims 1-4 respectively, and are therefore rejected under similar rationale.

Claims 14-17 are similar in scope to claims 1-4 respectively, and are therefore rejected under similar rationale.

5. Claims 2 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alexander et al. ("Alexander", US 6,038,516) in view of Lignoul (US 6,374,145 B1), Nishikawa (US 6,804,792 B2), Lee (US 6,076,169) and further in view of Moon (US 6,523,122 B1).

As per claim 2, the method of Alexander-Lignoul-Nishikawa-Lee does not expressly indicate the display screen to be a vacuum florescent display screen. Moon teaches a computer system having a power management function, wherein a vacuum florescent display is used. It would have been obvious to an artisan at the time of the invention to use such a type of display screen with the system of Alexander-Lignoul-Nishikawa-Lee depending on implementation preference without compromising functionality.

Claim 10 is similar in scope to claim 2, and is therefore rejected under similar rationale.

6. Claims 5, 13 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Alexander et al. ("Alexander", US 6,038,516) in view of Lignoul (US 6,374,145 B1), Nishikawa (US 6,804,792 B2), Lee (US 6,076,169), and further in view of Given et al. (US 6,560,711 B1) and Beaudouin-Lafon(Instrumental Interaction).

As per claim 5, while Lignoul teaches an infrared sensor (col. 18, lines 60 et seq.), the method of Alexander-Lignoul-Nishikawa-Lee does not expressly teach the motion sensor to include a plurality of selectable sensitivity levels for varying the predetermined distance, These features are what Given teaches in a method which utilizes a motion sensor that senses a user's presence in the vicinity (abstract; col. 7, lines 19 et seq.). It would have been obvious to an artisan at the time of the invention to include Given's features with the method of Alexander-Lignoul-Nishikawa-Lee in order to provide more flexibility to the functionality of the sensor of Alexander-Lignoul-Nishikawa-Lee.

While Given's method includes a manual adjustment of the potentiometer for selecting a plurality of selectable sensitivity levels for varying the predetermined distance, Given does not indicate the use of graphical user interface buttons from the menu to select one of the sensitivity levels. Beaudouin-Lafon teaches a graphical user interface model employing WIMP (Windows, Icons, Menus and Pointing) for designing instrumental interaction for instruments such as potentiometers (page 446, Abstract and Introduction; Page 449, Para. 4). It would have been obvious to an artisan at the time of the invention to combine Beaudouin-Lafon's teaching with the method of Alexander-Lignoul-Nishikawa-Lee-Given in order to provide an interface that is easily designed, updated, user-friendly, functionality enhanced.

Claims 13 and 18 are individually similar in scope to claim 5, and are therefore rejected under similar rationale.

7. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Alexander et al. ("Alexander", US 6,038,516) in view of Lignoul (US 6,374,145 B1), Nishikawa (US 6,804,792 B2), Lee (US 6,076,169) and further in view of Shpater (US 6,215,399 B1).

As per claim 7, Lignoul teaches the motion sensor to include a pyroelectric detector for sensing infrared waves projected from a person's body, wherein the pyroelectric detector generates an analog output signal infrared sensor (col. 18, lines 60 et seq.).

The method of Alexander-Lignoul-Nishikawa-Lee does not expressly teach the lens to be a fresnel lens, and wherein the motion sensor further includes an analog-to-digital converter for receiving and digitizing the analog output signal. However, the use of fresnel lens as a focusing means for motion sensors is known in the art. For instance, Shpater teaches a method using passive infrared motion detector, wherein infrared fresnel lens are employed (abstract; col. 2, lines 11-45). It would have

been obvious to an artisan at the time of the invention to combine Shpater's method with the method of Alexander-Lignoul-Nishikawa-Lee in order to make use of a widely known type of lens which would be cost effective as well as well proven.

8. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Alexander et al. ("Alexander", US 6,038,516) in view of Lignoul (US 6,374,145 B1), Nishikawa (US 6,804,792 B2), Lee (US 6,076,169), Shpater (US 6,215,399 B1) and further in view of Hong (US 5,339,104).

As per claim 8, the method of Alexander-Lignoul-Nishikawa-Lee-Shpater does not specifically disclose an analog-to-digital converter for receiving and digitizing the analog output signal. Hong teaches a motion detecting apparatus in which an analog/digital converter is included in the motion detection apparatus (abstract). It would have been obvious to an artisan at the time of the invention to include Hong's teaching with the method of Alexander-Lignoul-Nishikawa-Lee-Shpater so that the output signal could be digitized as required.

Response to Arguments

9. Applicant's arguments with respect to claims 1-18 have been considered but are either moot in view of new ground(s) of rejection or not persuasive.

10. Applicant argues the followings: (a) the combination of Alexander-Lignoul-Saphir does not teach "presenting without user interaction, at least some of said power-related information when said display screen is powered on" for the purpose of viewing from a distance at least some of the power related information; (b) none of the cited references discloses a motion sensor that "includes a plurality of selectable sensitivity levels for varying the predetermined distance" wherein one of the sensitity levels is

selected using the "user interface buttons"; (c) none of the cited references discloses an "analog-to-digital converter" for receiving and digitizing the analog output signal; (d) there is no suggestion or motivation to combine Alexander and Lignoul since Lignoul is directed to using a proximity sensor in connection with activating software in a computer system, and Alexander is directed to the displaying of current load parameters; (e) there is no suggestion or motivation to combine Saphir with Alexander or Lignoul; (f) US Patent 6,696,166 ("Long") is nonanalogous art regarding the use of a "vacuum florescent display screen," and there is no suggestion or motivation to combine Long with other cited references; and (g) Shpater is nonanalogous art.

All arguments are moot in view of new ground(s) of rejections above.

Regarding arguments (d), in response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, both systems of Alexander and Lignoul require the use of a display device, and thus any improvement on the use of Lignoul's display device would be applicable to Alexander's.

Inquires

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sy Luu whose telephone number is **(571) 272-4064**. The examiner can normally be reached on Monday - Thursday from 7:00 am to 4:30 pm (EST). The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (571) 272-4063.

The fax number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

SY D. LUU
PRIMARY EXAMINER
ART UNIT 2174